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9	IN THE UNITED STATES DISTRICT COURT
10	FOR THE NORTHERN DISTRICT OF CALIFORNIA
11	EDJUAN C. SCOTT,) No. C 09-0720 LHK (PR)
12	Plaintiff, ORDER GRANTING) PLAINTIFF'S EXTENSION OF
13	v.) TIME TO RESPOND TO DISCOVERY; DENYING
14	OFFICER JOHN FORTNER, et al., DEFENDANTS' MOTION FOR DISCOVERY; DENYING
1516) DEFENDANTS' MOTION FOR Defendants.) SUMMARY JUDGMENT WITHOUT PREJUDICE
17	Plaintiff, a state prisoner proceeding <i>pro se</i> , filed an amended civil rights complaint
18	pursuant to 42 U.S.C. § 1983. On September 16, 2011, Defendants filed a motion for discovery,
19	stating that Plaintiff failed to respond to their discovery requests. On October 6, 2011, Plaintiff
20 21	filed a letter to the Court, requesting that he receive a 90-day extension of time to respond to
22	Defendants' requests for discovery so that he can "avoid having [his] criminal case impeded by
23	the civil case." (Docket No. 36.) On October 31, 2011, Defendants filed a timely motion for
24	summary judgment.
25	Plaintiff's motion for an extension of time to file a response to discovery requests is
26	GRANTED. Plaintiff shall file responses to Defendants' outstanding requests for discovery no
27	later than 60 days from the date this order is filed. In light of this extension of time, Defendants'
28	motion for discovery is DENIED without prejudice as premature. Defendants' motion for
	Order Granting Plaintiff's Extension of Time to Respond to Discovery; Denying Defendants' Motion for Discovery; Denying Defendants' Motion for Summary Judgment without Prejudice P:\pro-se\sj.lhk\cr.09\Scott720misc

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summary judgment is also DENIED without prejudice to renewal once Defendants receive Plaintiff's discovery responses. Defendants shall file their renewed motion for summary judgment, or other dispositive motion, no later than 120 days from the date of this order. Plaintiff shall file his opposition 30 days thereafter. Defendants shall file their reply 15 days after Plaintiff's opposition is filed. This order terminates docket numbers 34 and 37. IT IS SO ORDERED. 11/4/11 DATED: _ **D**istrict Judge

Order Granting Plaintiff's Extension of Time to Respond to Discovery; Denying Defendants' Motion for Discovery; Denying Defendants' Motion for Summary Judgment without Prejudice P:\pro-se\sj.lhk\cr.09\Scott720misc 2